

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent)
application of:)
)
Burkus et al.)
)
Serial No. New Application)
)
Filed Herewith)
) Atty Docket No. 4002-3366/PC361.16
METHODS AND INSTRUMENTS FOR)
VERTEBRAL INTERBODY FUSION)

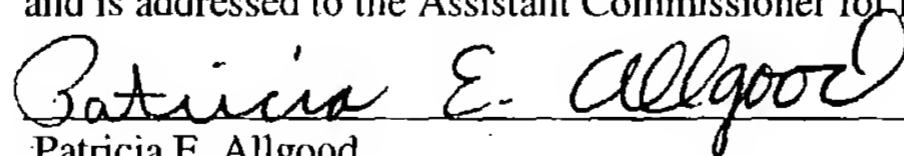
INFORMATION DISCLOSURE STATEMENT

Hon. Assistant Secretary and
Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R § 1.56 and 1.98,
Applicant discloses the following references on the attached Information Disclosure
Citation Form.

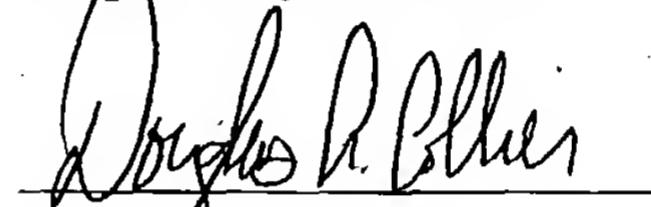
This information has not been previously submitted in this application by
Applicant. Copies of the foreign references and non-patent indicated by an * are not
being provided pursuant to 37 C.F.R. §1.98(d) since they were previously submitted in
the parent application, Serial No. 09/756,492, filed January 8, 2001.

<u>Express Mail Label No. EL 984 269 880 US</u>	<u>Date of Deposit July 31, 2003</u>
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.	
 Patricia E. Allgood	

The filing of this information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56 or that any information cited is prior art.

This Statement is being submitted with the filing of the application. Therefore no fees are believed due for its consideration. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted:



Douglas A. Collier
Reg. No. 43,556
Woodard, Emhardt, Moriarty
McNett & Henry LLP
Bank One Center Tower
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)			Atty. Docket No. 4002-3366/PC361.16	Serial No. New Application
			Applicant Burkus et al.	
			Filing Date Herewith	Group

Sheet 1 of 4

U.S. PATENT DOCUMENTS

*Examiner Initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate
	1	5,015,255	05/1991	Kuslich			
	2	5,055,104	08/1991	Ray			
	3	5,431,658	07/1995	Moskovich			
	4	5,484,437	01/1996	Michelson			
	5	5,489,307	02/1996	Kuslich et al.			
	6	5,505,732	04/1996	Michelson			
	7	5,514,180	05/1996	Heggeness et al.			
	8	5,556,399	09/1996	Huebner			
	9	5,569,205	10/1996	Hart et al.			
	10	5,571,109	11/1996	Bertagnoli			
	11	5,609,636	03/1997	Kohrs et al.			
	12	5,720,748	02/1998	Kuslich et al.			
	13	5,741,253	04/1998	Michelson			
	14	5,759,185	06/1998	Grinberg			
	15	5,766,252	06/1998	Henry et al.			

FOREIGN PATENT DOCUMENTS

					CLASS	SUBCLASS	Translation	
							Yes	No
	*1	WO 93/14801	8/1993	PCT				
	*2	WO 96/27345	9/1996	PCT				
	*3	WO 96/40020	12/1996	PCT				
	*4	WO 99/59481	11/1999	PCT				
	*5	EP 0 880 938 A1	12/1998	EP				
	*6	EP 0 732 093 A2	2/1996	EP				

Examiner	Date Considered
----------	-----------------

*Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

4002-3366/PC361.16:232296

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Atty. Docket No. 4002-3366/PC361.16	Serial No. New Application	
Sheet 2 of 4				Applicant Burkus et al.		
				Filing Date Herewith	Group	

U.S. PATENT DOCUMENTS

*Examiner Initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate
	16	5,772,661	06/1998	Michelson			
	17	5,785,710	07/1998	Michelson			
	18	5,797,909	08/1998	Michelson			
	19	5,865,834	02/1999	McGuire			
	20	5,865,847	02/1999	Kohrs et al.			
	21	5,885,299	03/1999	Winslow et al.			
	22	5,899,908	05/1999	Kuslich et al.			
	23	5,947,971	09/1999	Kuslich et al.			
	24	5,968,098	10/1999	Winslow			
	25	6,004,326	12/1999	Castro et al.			
	26	6,033,405	03/2000	Winslow et al.			
	27	6,042,582	03/2000	Ray			
	28	6,056,749	05/2000	Kuslich			
	29	6,059,790	05/2000	Sand et al.			
	30	6,063,088	05/2000	Winslow			
	31	6,080,155	06/2000	Michelson			
	32	6,083,225	07/2000	Winslow et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							Yes	No
	*7	WO 97/30666	8/1997	PCT				
	*8	WO 00/45709	8/2000	PCT				
	*9	EP 0 646 366 A1	4/1995	EPO				
	*10	DE 35 05 567 A1	6/1986	Germany				
	*11	WO 99/52453	10/1999	PCT				

Examiner	Date Considered
----------	-----------------

*Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Atty. Docket No. 4002-3366/PC361.16	Serial No. New Application		
Sheet 3 of 4				Applicant Burkus et al.			
				Filing Date Herewith	Group		
U.S. PATENT DOCUMENTS							
*Examiner Initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate
	33	6,086,595	07/2000	Yonemura et al.			
	34	6,096,038	08/2000	Michelson			
	35	6,113,602	09/2000	Sand			
	36	6,120,506	09/2000	Kohrs et al.			
	37	6,123,705	09/2000	Michelson			
	38	6,156,595	12/2000	Yonemura et al.			
	39	6,159,214	12/2000	Michelson			
	40	6,113,602	09/2000	Sand			
	41	6,171,339	01/2001	Houfsburg et al.			
	42	6,174,311	1/2001	Branch et al.			
	43	6,210,412	4/2001	Michelson			
	44	6,224,595	05/2001	Michelson			
	45	6,224,599	05/2001	Baynham			
	46	6,224,607	05/2001	Michelson			
	47	6,228,022	05/2001	Friesem et al.			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation
							Yes No
	*11	WO 00/041655	7/2000	PCT			
	*12	WO 00/041654	7/2000	PCT			
Examiner				Date Considered			

*Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.